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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

|                       |                 |
|-----------------------|-----------------|
| Application Number:   | 09/829,133      |
| Filing Date:          | April 9, 2001   |
| First Named Inventor: | Erol Tan et al. |
| Group Art Unit:       |                 |
| Examiner Name:        |                 |
| Attorney Docket No.   |                 |

Mail Stop RCE  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR §1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

**1. Submission required under 37 C.F.R. §1.114** Note: If the RCE is proper, any previously-filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a.  Previously submitted:
  - i.  Consider the Amendment(s)/Reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other: \_\_\_\_\_
- b.  Enclosed:
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement
  - iv.  Other: Response Transmittal Letter

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months: Fee under 37 C.F.R. §1.17(i) required)
- b.  Other: \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

- a.  The following fees are due as indicated below:
  - i.  RCE fee required under 37 CFR §1.17(e) of  \$385.00 for a small entity or  \$770.00 for a large entity.

- ii.  A one-month extension of time fee (37 CFR §1.136 and §1.17) of \$110.00.
- iii.  Fee of \$\_\_\_\_ for presentation of additional or amended claims in any accompanying Amendment/Reply where such Amendment/Reply and the fee for such claims has not been previously submitted, said fee calculated as follows:

| For                               | Number of Claims Remaining After Amendment | Highest Number of Claims Previously Paid For | Number of Present Extra Claims | Small Entity |     | Large Entity  |     |
|-----------------------------------|--|--|--------------------------------|--------------|-----|---------------|-----|
|                                   |  |  |                                | Rate         | Fee | Rate          | Fee |
| Total Claims                      | 13   | 20   | 0                              | x \$9.00     | \$  | OR x \$18.00  | \$0 |
| Indep. Claims                     | 1  | 3  | 0                              | x \$43.00    | \$  | OR x \$86.00  | \$0 |
| Multiple Dependent Claims Present |  |  |                                | + \$145.00   | \$  | OR + \$290.00 | \$0 |
|                                   |  |  |                                | TOTAL        | \$  | OR TOTAL      | \$0 |

- iv.  Other:

- b.  A check is enclosed in the amount of \$770.00 for the fees identified in Item 3.a. above.
- c.  The Director is hereby authorized to charge the fees identified in Item 3.a. above to Deposit Account No. 23-0785.
- d.  Payment of the fees identified in Item 3.a. above is by credit card (Form PTO-2038 enclosed).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- e.  The Director is authorized to charge payment of the following amounts associated with this communication or credit any overpayment to Deposit Account No. 23-0785:
  - i.  Additional filing fees under 37 CFR §1.16 and 37 CFR §1.17 and 37 CFR §1.136 or deficiencies in remittances therefor.
  - ii.  Additional processing fees under 37 CFR §1.17 or deficiencies in remittances therefor.

4. **Correspondence Address:** WOOD, PHILLIPS, KATZ, CLARK & MORTIMER  
 Citicorp Center, Suite 3800  
 500 West Madison Street  
 Chicago, Illinois 60661-2511  
 Telephone: (312) 876-1800  
 Facsimile: (312) 876-2020

**Customer Number: 32116**

Date: July 2, 2004

Attorney's Signature   
Attorney's Name: Paul M. Odell  
Reg. No. 28,331

#### CERTIFICATE OF MAILING

I hereby certify that this Request For Continued Examination Transmittal and any other documents referred to as enclosed herein, are being deposited in an envelope with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date shown below.

Date of Deposit: July 2, 2004

Typed/Printed Name of Person Signing: Paul M. Odell

Signature: 